

DEPARTMENT OF THE NAVY
Office of the Secretary
Washington, DC 20350-1000

SECNAVINST 5300.31
NMPC-66
13 June 1988

SECNAV INSTRUCTION 5300.31

From: Secretary of the Navy
To: All Ships and Stations

Subj: EMPLOYMENT AND VOLUNTEER
WORK OF SPOUSES OF NAVAL
PERSONNEL

Ref: (a) DOD Directive 1400.33 of
10 Feb 88 (NOTAL)
(b) Uniformed Code of Military
Justice (10 USC 801-942)
(c) CPI 752
(d) DOD Instruction 1342.12
of 17 Dec 81 (NOTAL)

1. Purpose. To establish policy on the right of spouses of Department of the Navy (DON) military members to choose to work, attend school, or perform volunteer services without impacting the active duty member's performance appraisal, assignment, or promotion in compliance with reference (a).

2. Applicability. This instruction applies throughout the DON. Violation of the policy set forth herein is subject to disciplinary action under references (b) and (c).

3. Definitions. Terms used in this instruction are as follows:

a. Spouse: The husband or wife of a military member, if such spouse is not also a military member.

b. DOD official: Any commander, supervisor, or other military or civilian official of a DOD Component.

c. Marital status: Married, single, divorced, widowed, or separated.

4. Policy. It is DON policy that no DON official shall, directly or indirectly, impede or otherwise interfere with the right of a spouse of a military member to pursue and hold a job, attend school, or perform volunteer services on or off a military installation. Spouses of DON military personnel are entering the work force in increasing numbers. This has changed the degree of volunteer service activity among military spouses. Many working spouses continue to perform volunteer services but often do so on a less than full-time basis. The DON must accept these changes in the living patterns of military spouses and recognize that their own choices of personal endeavor make the best contribution to the quality of life of their families and communities, and thus to the overall DON mission.

a. No DON official shall use the preferences or requirements of a DOD Component to influence, or attempt to influence, the employment, educational, or volunteer service decisions of a spouse. Neither such decision of a spouse, nor the marital status of the member, shall affect, favorably or adversely, the performance appraisals or assignment and promotion opportunities of the member, except as specified herein.

b. In discharging their responsibilities, members of statutory selection boards for military promotion, continuation, and selective early retirement, and similar non-statutory personnel selection boards are prohibited from considering the marital status of a military member, or the employment, educational, or volunteer service activities of a member's spouse.

c. Personnel decisions, including those related to the assignments of military members, shall not be affected, favorably or adversely, by the employment, educational, or volunteer service activities of a member's spouse, or solely by reason of a member's marital status, except as follows:

(1) When necessary to ameliorate the personal hardship of a member or spouse upon the request of the member concerned, such as when a family member requires specialized medical treatment, educational provisions under reference (d), or similar personal preference accommodations.

(2) To facilitate the assignment of dual military married couples to the same geographic area.

(3) When otherwise required by law, such as instances in which a prohibited conflict of interest may exist between the official duties of a military member and the employment of the member's spouse.

(4) When the Assistant Secretary of Defense (Force Management and Personnel) determines, on a case-by-case basis, for reasons of national security, that marital status is an essential assignment qualification for particular military billets or positions. The Chief of Naval Operations (CNO) and Commandant of the Marine Corps (CMC) may propose billets or positions for such determinations.

d. Performance appraisals of naval personnel, including officer and enlisted efficiency or fitness reports, shall not contain any information regarding the employment, educational, or volunteer service activities of the member's spouse, or reflect favorably or adversely on the member based solely on the member's marital status.

5. Responsibility

a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for DON policy regarding spousal employment and volunteerism under this instruction.

b. The CNO and CMC are responsible for policy execution under this instruction. The CNO and CMC:

(1) Shall make changes to service regulations as required to bring them into conformance with this instruction.

(2) May propose, with supporting justification, requests from ASN(M&RA) to ASD(FM&P) to make marital status an essential qualification for specific billets or positions.

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Assistant Secretary of the Navy
(Manpower and Reserve Affairs)
(Acting)

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